

W44

DATE: April 3, 2001

1. 465 dwelling units consisting of:

2. Adjustment to Section 27.15.080(a) to allow for a maximum of 40' height in the R-4 district.

To the north across Van Dorn Street residential, zoned R-3;
to the east single family, zoned R-1;
to the south single family and park land, zoned R-1 and P;
to the west shopping center, multiple family, and park land, zoned B-2, O-3, R-5 and P.

COMPREHENSIVE PLAN SPECIFICATIONS:

The site is shown as Urban Residential on the Land Use Plan.

Goal of Existing Urban Areas of the Urban Residential areas in the Comprehensive Plan:

“Preserve the character of rural and urban neighborhoods through maintenance of existing housing stock and encouragement of compatible design in new housing.” (Pg. 46)

Goals of Trails in the Comprehensive Plan:

“Provide for the mobility needs of the community through a balanced and efficient system of roads, trails and public transportation alternatives.” (Pg. 117)

“Encourage and promote extensive use of non-motorized means of transportation by providing sidewalks, streets and a multi-use trail system within the community for commuting, recreation and other traveling.” (Pg. 117)

HISTORY:

In the **1979** zoning update this property was converted from A-1 to R-3.

In **January 9, 1989** Van Dorn Meadows CUP Special Permit #1301 and Preliminary Plat were approved. This permit was for elderly, two-family and multi-family housing. 171 Dwelling Units were approved.

On **March 12, 1990** Special Permit #1356 to construct a recreational facility on property located on the northeast corner of 70nd and Holmes Park Road was denied.

In **June 1992** Preliminary P.U.D #91401 was approved. This PPUD approved 11 single-family dwellings, 42 two-family dwellings, 112 multi-family dwellings, a 329 unit retirement building, and 40,000 square feet of commercial use.

In **November 1992** Van Dorn Meadows P.U.D Change of Zone #2708. was approved. This PUD approved 11 single-family dwellings, 42 two-family dwellings, 112 multi-family dwellings, a 329 unit retirement building, 15,000 square feet of office use, and 25,000 square feet of retail use.

In **May of 1994** a Change of Zone #2823 from R-3 to R-5 on property located on the northeast corner of 70nd and Holmes Park Road was approved.

On **March 31, 1997** a Change of Zone #3041 from R-3 PUD to R-4 and R-3 PUD to R-3 was approved.

On **March 31, 1997** Change of Zone # 3042 changed the boundaries of the Special Permit and changed the zone of a portion of the area to the west of the CUP from R-3 to O-3 was approved.

On **March 31, 1997** Van Dorn Meadows 1st Addition CUP Special Permit #1665 and Preliminary Plat #96024 were approved. The Special Permit and Preliminary Plat superceded Special Permit #1301 and Preliminary Plat to allow for 448 dwelling units.

On **January 4, 1999** Administrative Amendment #98069 to revise the landscape plan and site the complex identification signs was approved.

In **March 2001** Administrative Amendment #00085 was superceded by the present application.

SPECIFIC INFORMATION:

UTILITIES: Public utilities are available to serve the site.

TOPOGRAPHY: The land slopes to the drainage ditch and to the southwest.

TRAFFIC ANALYSIS:

Van Dorn Street is identified in the Comprehensive Plan to be an Urban Collector Street. South 72nd Street has 60' right-of-way. Holmes Park Road has 80' right-of-way.

PUBLIC SERVICE:

The closest fire station is located at 84th and South Streets.

REGIONAL ISSUES:

This development will impact traffic on S72nd Street, Holmes Park Road and Van Dorn Street.

ENVIRONMENTAL CONCERNS:

This site drains into Holmes Lake. Without careful controls on the site the lake could be impacted with silt and other pollutants.

AESTHETIC CONSIDERATIONS:

The 4-plex units abut the R-1 residential district to the east of this site. A grade differential of approximately 10 feet separates the proposed 4-plex lots from the property line of the R-1 residential dwelling units. While a 40' setback is required and landscape screening is provided, the adjacent neighborhood to the east expressed concern about headlights in the rear of their dwelling units. Gary Bredehoft on behalf of the applicant has agreed to mitigate this issue by providing a fence in driveway areas of the 4-plex units.

The modification to the maximum allowable height will affect the adjacent housing by impacting the sense of scale experienced by the neighboring dwelling units. The applicant has indicated a pitched roof design rather than a flat roof in combination with a requested maximum height of 40 feet in order to accommodate ceiling heights of 9 feet.

Compared to the approved Special Permit for CUP, this proposed plan moves pavement on the east side of the site at the 4-plex units 40 feet closer to the adjacent dwelling units to the east. This impacts the site in terms of transition from single to multi-family and impacts the amount of green space between the two uses. The existing approved site plan addresses the need for a transition between the two housing types through green space. As proposed green space is reduced by 40 feet which brings the pavement 40 feet closer to the single-family dwellings adjacent to this property. Additionally, the interior driveway is placed 10 feet closer to the 4-plex units which eliminates green space that was provided in the current approved plan.

ALTERNATIVE USES:

Develop the site with a trail connection to the southeast parking lot, include fence as a screen between the driving aisles of the 4-plex units and the R-1 residential units, and maintain a height restriction of 35 feet.

ANALYSIS:

1. The request to change the maximum allowable height is out of scale for the area and does not preserve the character of the neighborhoods. The Comprehensive Plan states that neighborhoods should be preserved “through the maintenance of existing housing stock and encouragement of compatible design in new housing”. Single family housing to the east and two-family to the south will be impacted by and are not compatible with the additional height request. A pitched roof design and six foot grade differential increases the impact to the single and two-family dwellings adjacent and within this development.
2. This plan and the requested revisions to the landscape plan is acceptable to the Parks and Recreation Department.
3. The interior trail connects to the existing trail network, but is privately maintained. The interior trail was reduced and should be shown as originally approved. The trail both serves as a recreational component of the community unit plan and as a trail connection into the existing trail network. The Comprehensive Plan states that trails should “provide for the mobility needs of the community through a balanced and efficient system of roads, trails and public transportation alternatives”. The proposed modification to the trail is not efficient because another trail connection is located nearby the proposed connection. Additionally, the Comprehensive Plan states that trails should “encourage and promote extensive use of non-motorized means of transportation by providing sidewalks, streets and a multi-use trail system within the community for commuting, recreation and other traveling”. A connection to the southeast parking lot would help to serve the 4-plex dwelling units. Since no sidewalks are provided for those units, a trail would help take the pedestrian and bike traffic off of the interior driveway and onto an alternate pedestrian route. The Design Standards state that “Adequate and appropriate recreational facilities shall be provided in the common open areas to serve the needs of the development and the anticipated occupants to fulfill the needs of occupants whether they are young, elderly, handicapped, etc. Such facilities shall be readily accessible from the dwelling units in the community unit plan”. This trail functions to take residents from their dwelling units to the open space areas without having to go through any parking lots.
4. This plan increases the number of dwelling units by 17, which remains within the allowable density calculation.

STAFF RECOMMENDATION:

Conditional Approval
Denial to height adjustment to 40'

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 Corrected legal description to match boundary curve data
 - 1.1.2 Remove interior curve data because it is a driveway and not a private roadway.
 - 1.1.3 Correct allowable density calculation to show 467 total allowable units.
 - 1.1.4 Correct spelling errors of "Acrea" to "Acres" in Density Calculations.
 - 1.1.5 Expand 4-Plex detail to show driveways, serving the garages.
 - 1.1.6 Correct boundary data to match legal description.
 - 1.1.7 Show envelopes for ground signs on site plan or add note to plan that identifies that ground signs will be as allowed by the zoning ordinance.
 - 1.1.8 Correct height in "Development Land Uses" table to show maximum allowable height of 35 feet.
 - 1.1.9 Add north arrow to vicinity map.
 - 1.1.10 Remove Planning Commission approval certificate and add City Council approval certificate.
 - 1.1.11 Revise Note #17 to clearly show "Dwelling Unit, Type, and Location".
 - 1.1.12 Revise Note #11 to say "land area" instead of "existing plat".

1.1.13 Remove the typo "(G)" from the northeast apartment building.

1.1.14 Show the location of the dumpsters in an enclosure not in parking stalls of the parking lot.

1.1.15 Add a note stating that any relocation of existing facilities will be at the owner/developer's expense.

1.1.16 Add a fence along the east side of all driveways serving the individual 4-plex garages.

2.1 Revise the landscape plan to show:

2.1.1 Remove references to administrative amendment on the landscape plan.

2.1.2 Note on the landscape plan that proposed street trees are to be located no closer than 5 feet from trail/sidewalk and shrubs no closer than 3 feet, and shall be planted on private property.

2.1.3 It is recommended that Scotch Pine not be planted due to Pine Wilt Disease. Substitute with Norway Spruce, Black Hills Spruce, or Limber Pine (Vanderwolf's Pyramid).

2. This approval permits:

465 dwelling units

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan and 5 copies to the Planning Department.

3.2 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the new dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans.

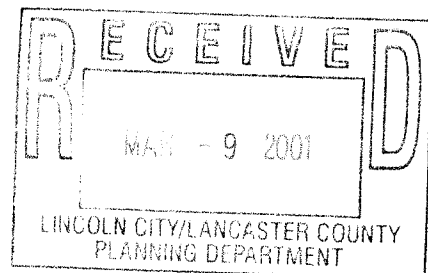
Prepared by:

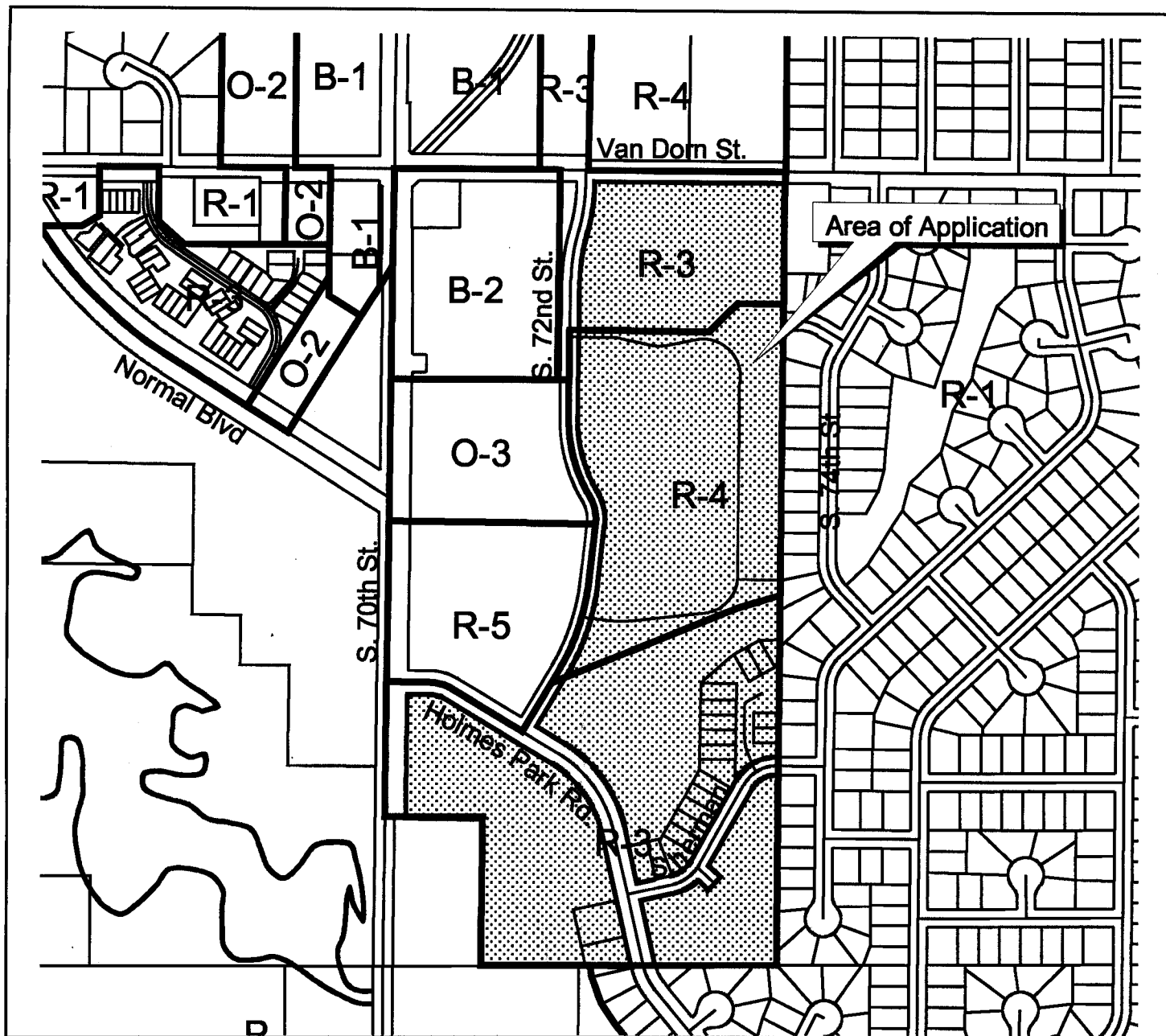
Becky Horner, Planner

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LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOT 1 VAN DORN MEADOWS ADD., A PORTION OF OUTLOT "D" BLOCK 3 VAN DORN MEADOWS ADD., OUTLOT "C" BLOCK 4 VAN DORN MEADOWS ADD., LOTS 1 AND 2 BLOCK 4 VAN DORN MEADOWS ADD., OUTLOT "B" VAN DORN MEADOWS 1ST ADD., LOTS 1 THRU 4 VAN DORN MEADOWS 3RD ADD., LOT 1 BLOCK 1 VAN DORN MEADOWS 4TH ADD., LOTS 1 THRU 14 BLOCK 2 VAN DORN MEADOWS 4TH ADD., AND OUTLOTS "A", "B" AND "C" BLOCK 1 VAN DORN MEADOWS 4TH ADD., ALL LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA.





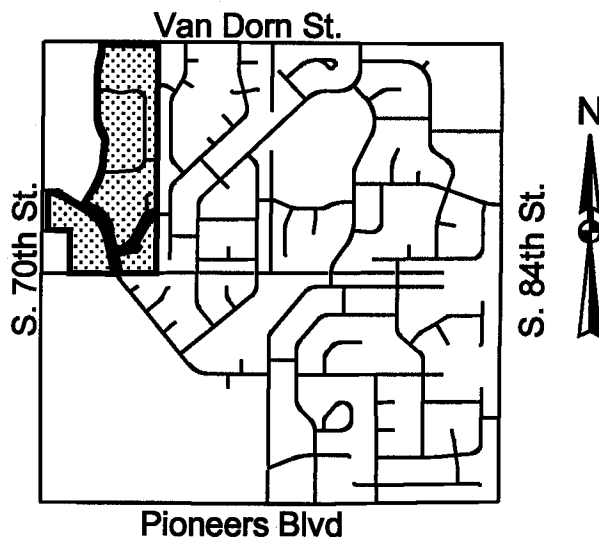
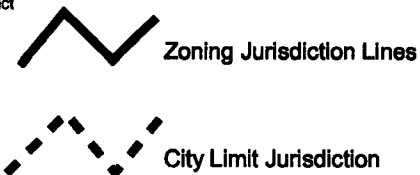
Special Permit #1665A S. 72nd & Van Dorn St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

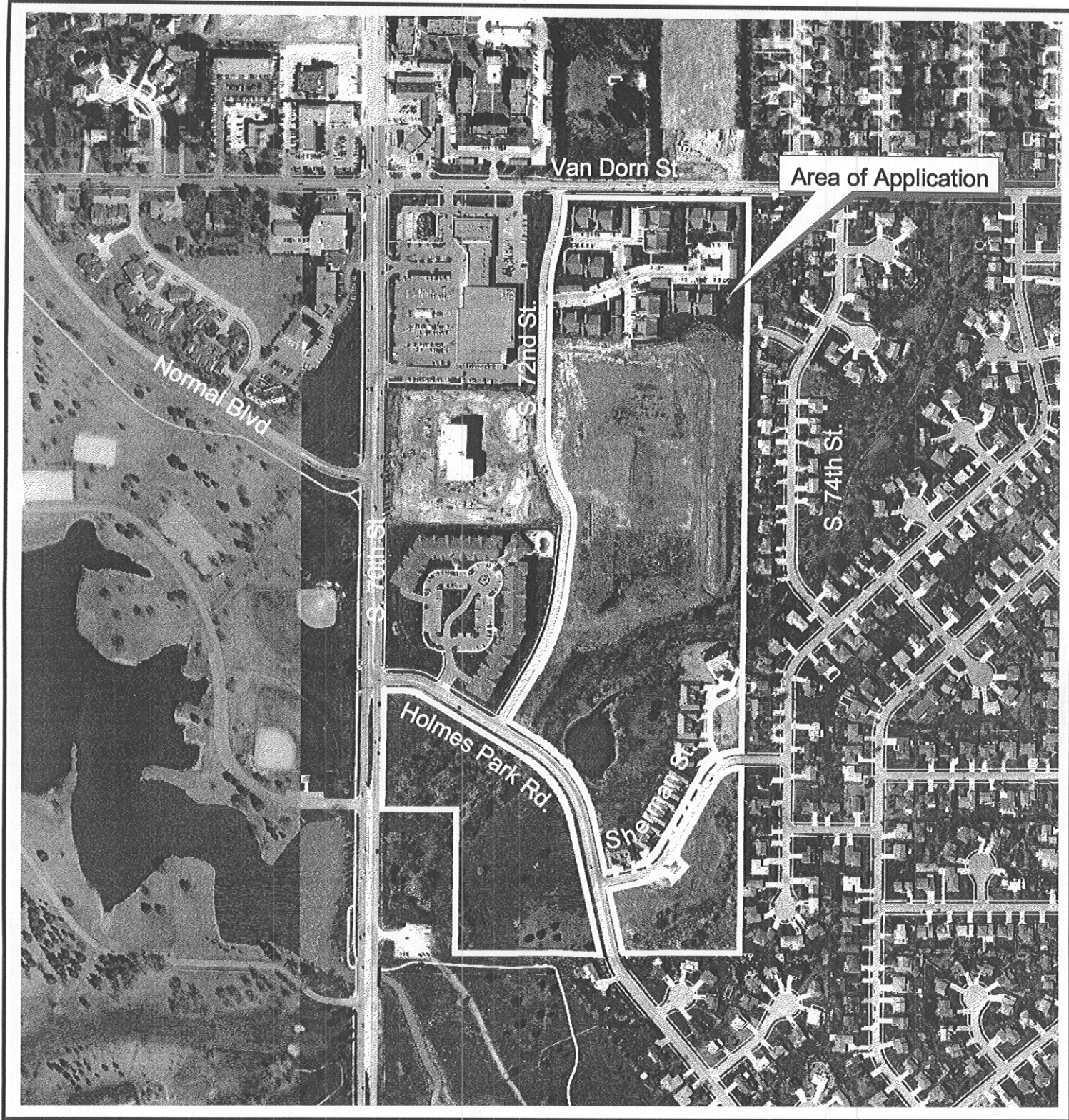
One Square Mile
Sec. 3 T9N R7E

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Pioneer Blvd

Sheet 1 of 6
Date: 4.10.01
Lincoln City - Lancaster County Planning Dept.



Special Permit #1665A
S. 72nd & Van Dorn St.

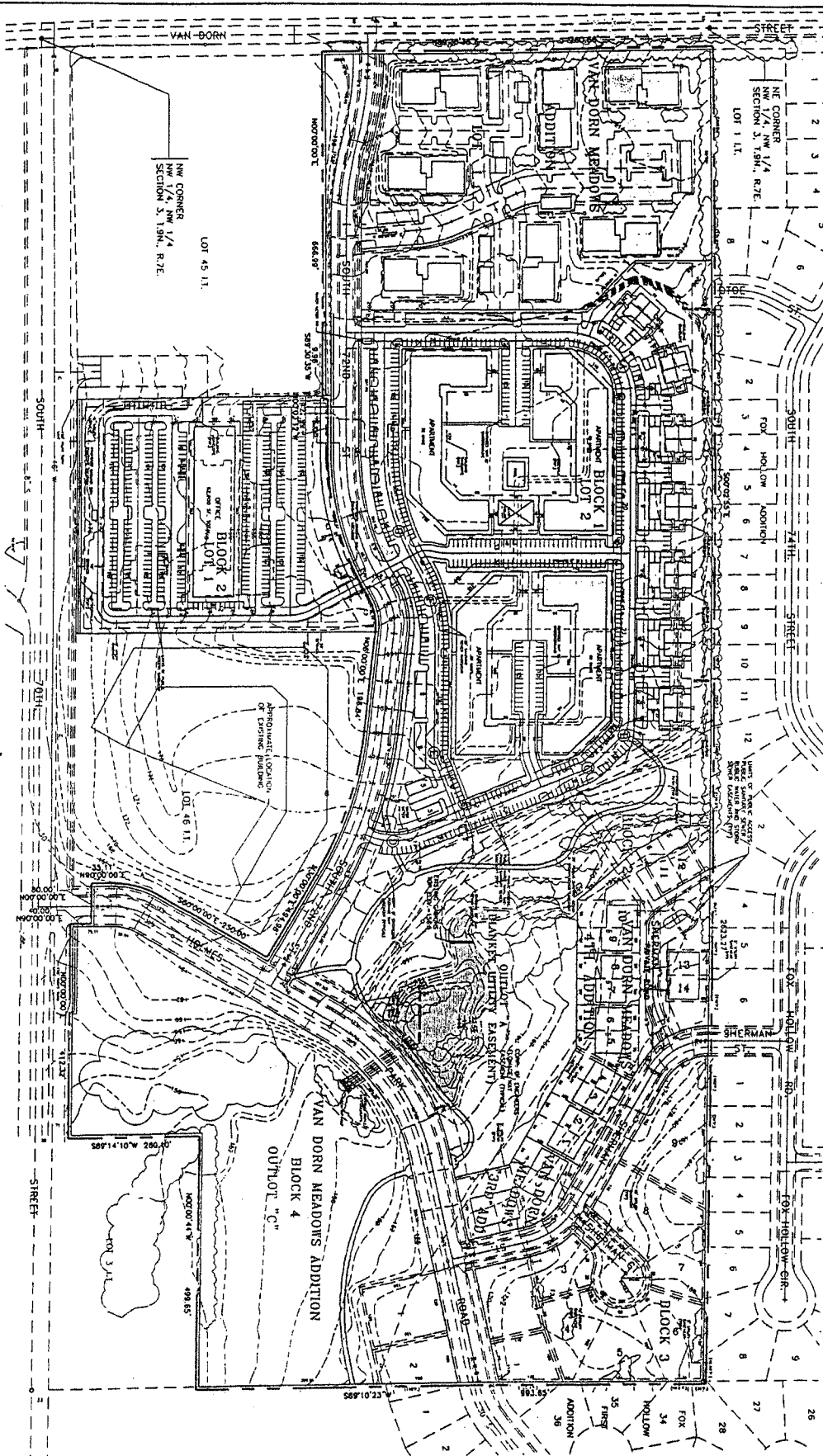


Sheet 2 of 6

Date: 4.10.01

Photograph Date: 1997

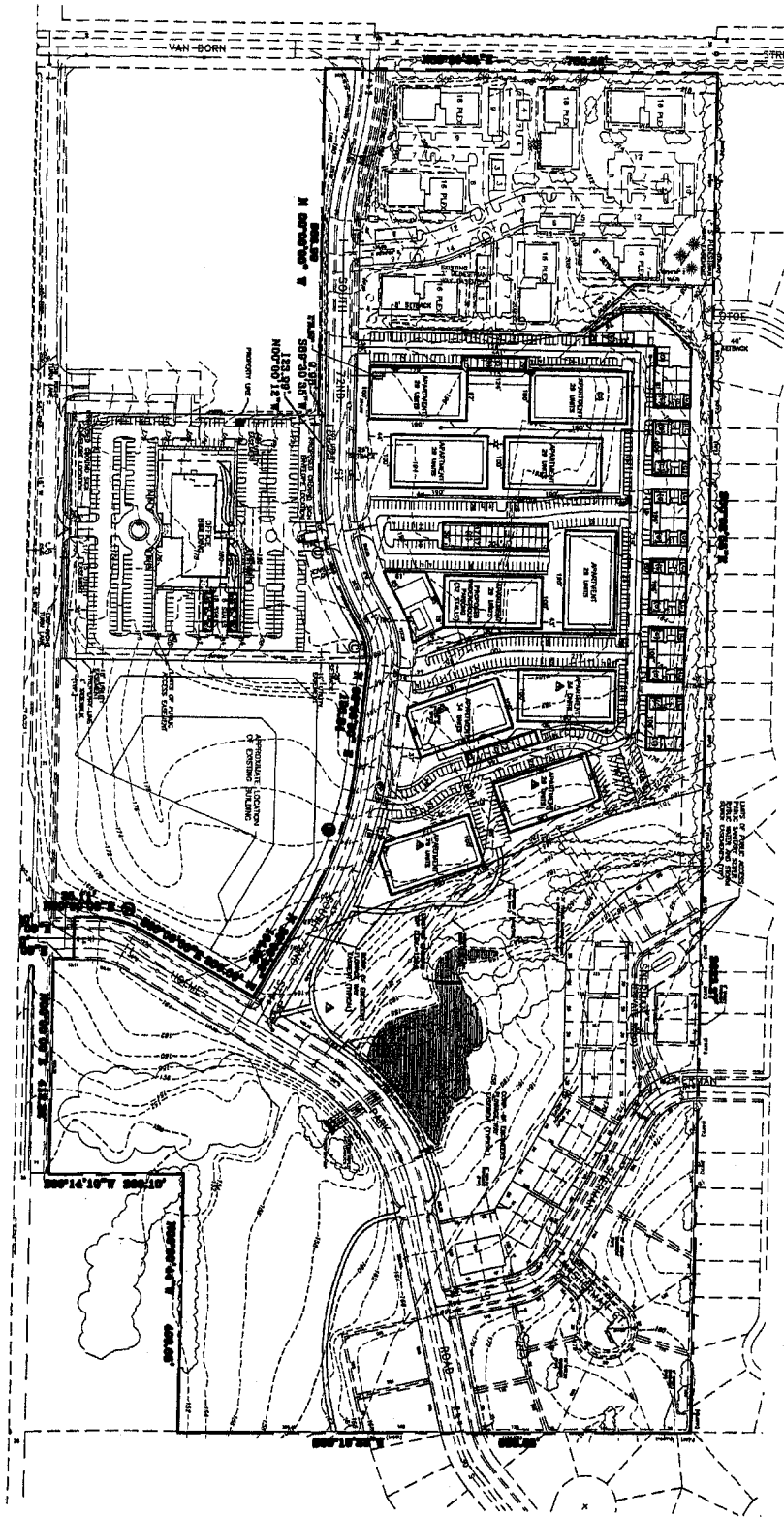
Lincoln City - Lancaster County Planning Dept.



Special Permit #1665A
 S. 72nd & Van Dorn St.
 Approved Plan

Sheet: 3 of 6
 Date: 4.10.01

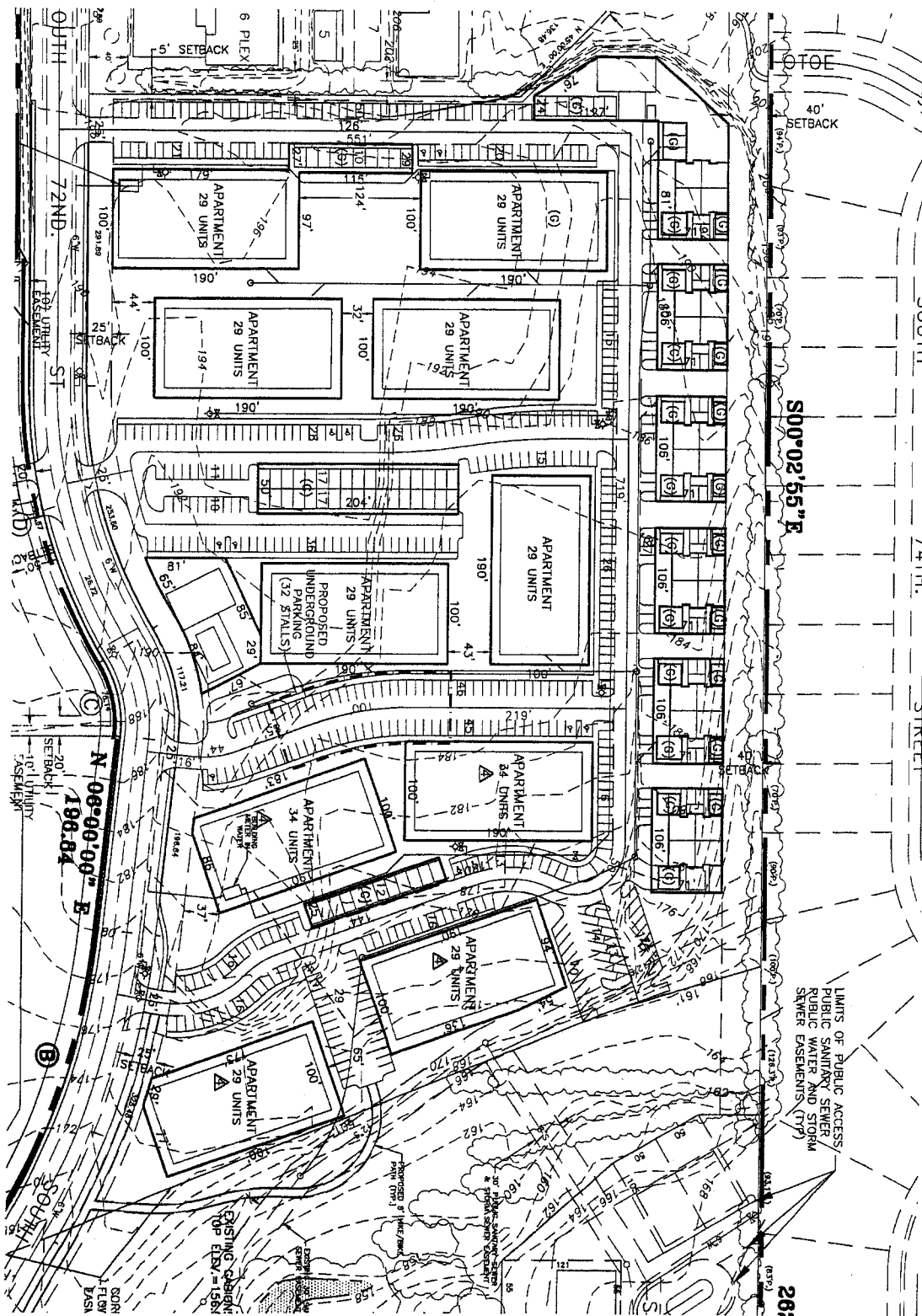




Special Permit #1665A
S. 72nd & Van Dorn St.
Proposed Plan

Sheet: 4 of 6
Date: 4.10.01





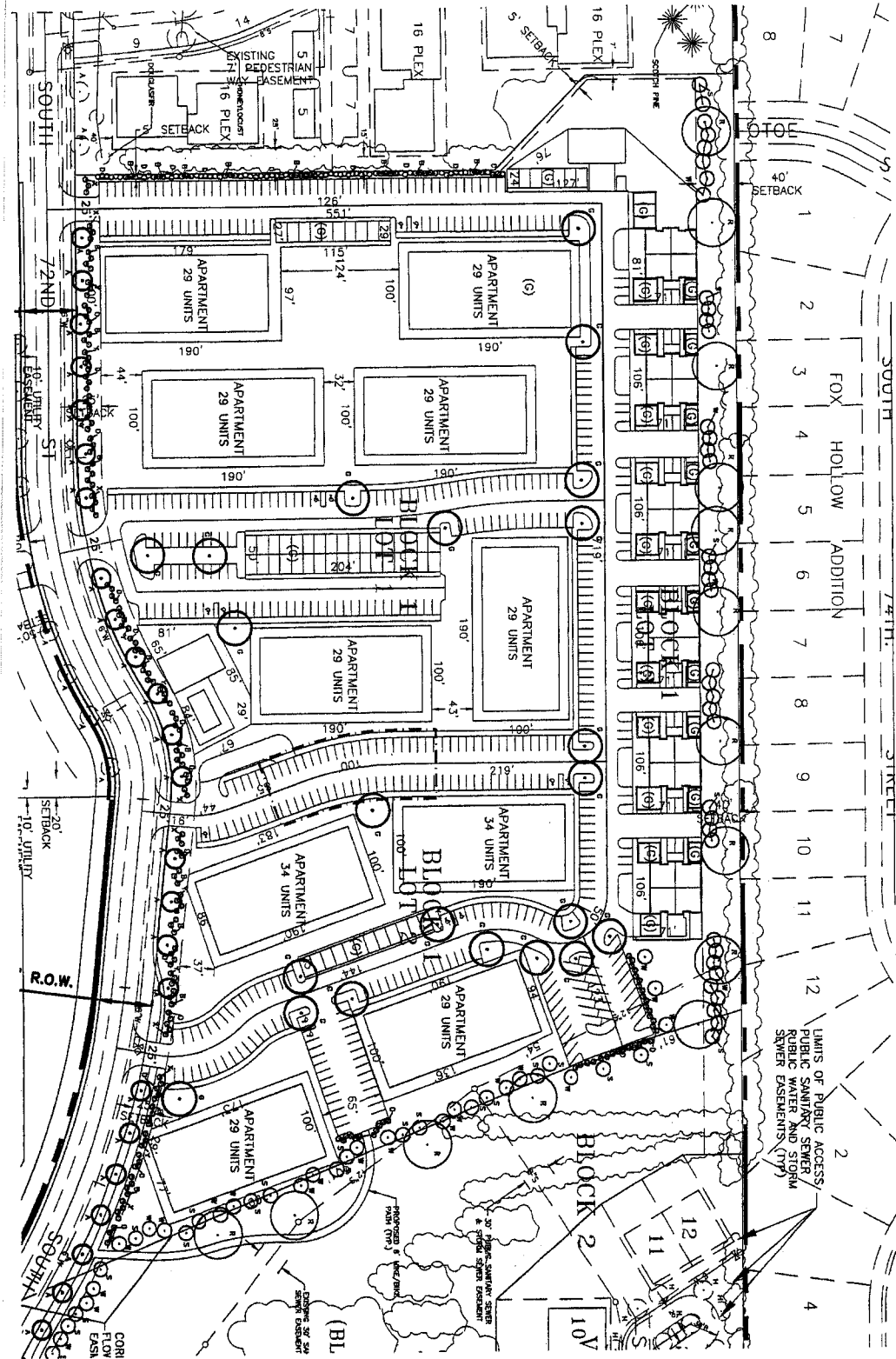
Special Permit #1665A
 S. 72nd & Van Dorn St.
 Proposed Plan

Sheet: 5 of 6

Date: 4.10.01



North



Special Permit #1665A
 S. 72nd & Van Dorn St.
 Proposed Landscape Plan



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

April 2, 2001

Ms. Kathleen Sellman
Director
Planning Department
555 South 10th Street, Suite 213
Lincoln NE 68508

Re: Van Dorn Meadows Addition - Amendment to
The Community Unit Plan
OA Project No. 2000-0607.05

Dear Kathleen:

Enclosed please find the following revised documents for the above-mentioned project:

1. 9 copies of the Site Plan.
2. 6 copies of the Landscape Plan.
3. Revised Special Permit Application.

On behalf of the Owner/Developer, Chateau Development, Stefan Gaspar, 1025 North 63rd, Lincoln, Nebraska 68505, we are requesting an amendment to the Community Unit Plan to request an additional 17 units for the 10 apartment buildings within the CUP. The Site Layout, Grading and Drainage Plan, and Landscape Plan will remain unchanged as approved. Ten units will be used to create two 34 plex buildings due to a walkout condition created by the slope of the site. Three units are to bring the two buildings on the south end to the standard 29 unit floor plans, and an additional 4-plex has been added along the east property line to accommodate the neighbors' concerns, to match the previously approved CUP. Our approved density for the CUP is 466 allowable units.

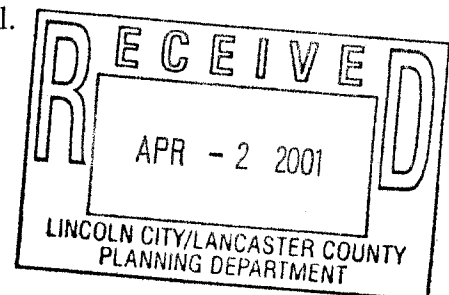
We would also like to request a variance to the height limit of the R-4 District from 35 feet to 40 feet. This is due to ceiling heights being designed at nine feet, and the roof design proposed as a pitched roof rather than a flat roof.

If you have any questions or require further information, please call.

Sincerely,

Gary L. Bredehoft
Enclosures

cc: Stefan Gaspar
Otto Gaspar
Mark Hunzeker



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Memorandum

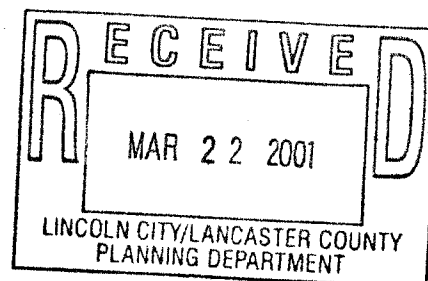
To: Ray Hill, Planning Department
From: Charles W. Baker, Public Works and Utilities *BWB*
Subject: Van Dorn Meadows Special Permit # 1665A
Date: March 22, 2001
cc: Roger Figard, Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the site plan for the proposed request for an additional 13 units to the 10 apartment buildings within the CUP for Van Dorn Meadows located at S 72nd and Holmes Park Road. Public Works has the following comments:

The parking layout and parking stalls meet design standards.

Public Works requests that the proposed locations of the dumpsters be noted on the site plan for review. The note under Development Land Uses currently reads, "Subtract 12 spaces for dumpster locations in area". The dumpsters will need to be located in an enclosure not in parking stalls of the parking lot.

jaj SP1665A VanDornMeadows cwb





INTER-DEPARTMENT COMMUNICATION

TO Ray Hill, City Planning
SUBJECT DEDICATED EASEMENTS
DN #31S-72E

DATE March 23, 2001

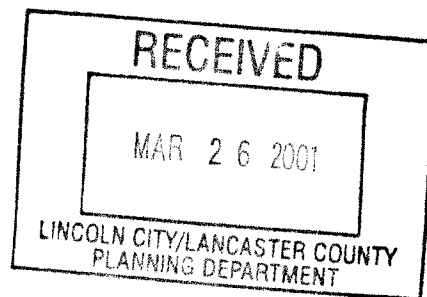
FROM Sharon Theobald
(Ext. 7640)

Attached is the Site Plan for Van Dorn Meadows 1st Addition (Amendment to C.U.P.)

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over Lots 1 & 2, Block 1 and Outlot "A" (as already noted).

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald



ST/nh
Attachment
c: Terry Wiebke
Easement File



IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.



Permit # **DRF01030**

Address

Job Description: **VANDORN MEADOWS**

Location: **VAN DORN MEADOWS/SP 1**

Special Permit: **Y 1665A**

Preliminary Plat: **N**

Use Permit: **N**

CUP/PUD: **N**

Requested By **RAY HILL**

Status of Review: **Approved**

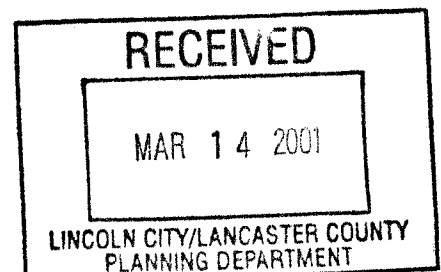
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards



Memorandum

To: Becky Horner, Planning
From: Rachel Martin, Parks and Recreation
Date: April 9, 2001
Re: Van Dorn Meadows

Parks and Recreation Department staff have reviewed the above-referenced proposal and have the following comments:

- 1) It needs to be noted on the landscape plan that proposed street trees are to be located no closer than 5 feet from trail/sidewalk and shrubs no closer than 3 feet, and shall be planted on private property.
- 2) It is recommended that Scotch Pine not be planted due to Pine Wilt Disease. Substitute with Norway Spruce, Black Hills Spruce, or Limber Pine ('Vanderwolf's Pyramid).

Please phone me at 441-7936 with any questions.

